

Date: November 2, 2004
To: Court of Appeals Judges, Director of State Courts, Staff Counsel, Clerk's Office Staff
From: Cornelia G. Clark, Clerk
Re: COURT OF APPEALS MONTHLY STATISTICAL REPORT - OCTOBER

Cumulative: January 1, 2004 through October 31, 2004

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Cases Carried Over					
<u>from December 31</u>	<u>631</u>	<u>506</u>	<u>339</u>	<u>522</u>	<u>1998</u>
Civil	248	276	197	322	1043
Criminal	383	230	142	200	955
<u>Cases Filed</u>	<u>861</u>	<u>631</u>	<u>608</u>	<u>693</u>	<u>2793</u>
Civil	391	347	320	405	1463
Criminal	470	284	288	288	1330
<u>Cases Docketed</u>	<u>1492</u>	<u>1137</u>	<u>947</u>	<u>1215</u>	<u>4791</u>
Civil	639	623	517	727	2506
Criminal	853	514	430	488	2285
<u>Cases Reinstated</u>	<u>10</u>	<u>10</u>	<u>4</u>	<u>22</u>	<u>46</u>
Civil	7	7	3	15	32
Criminal	3	3	1	7	14
<u>Cases Terminated*</u>	<u>658</u>	<u>682</u>	<u>573</u>	<u>733</u>	<u>2646</u>
Opinion-Civil	89	123	133	215	560
Opinion-Criminal	<u>55</u>	<u>78</u>	<u>65</u>	<u>95</u>	<u>293</u>
Sub-Total	144	201	198	310	853
Sum.Disp.-Civil	71	75	45	54	245
Sum.Disp.-Criminal	<u>180</u>	<u>155</u>	<u>116</u>	<u>104</u>	<u>555</u>
Sub-Total	251	230	161	158	800
Memo Opinion-Civil	137	119	102	136	494
Memo Opinion-Criminal	<u>84</u>	<u>56</u>	<u>71</u>	<u>66</u>	<u>277</u>
Sub-Total	221	175	173	202	771
Other-Civil	32	54	36	48	170
Other-Criminal	<u>10</u>	<u>22</u>	<u>5</u>	<u>15</u>	<u>52</u>
Sub-Total	42	76	41	63	222
<u>Correction for Error</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>-1</u>	<u>-1</u>
Civil	0	+3	+9	+4	+16
Criminal	0	-3	-9	-5	-17
<u>CASES PENDING</u>	<u>778</u>	<u>472</u>	<u>387</u>	<u>553</u>	<u>2190</u>
CIVIL	299	258	215	313	1085
CRIMINAL	479	214	172	240	1105

*Terminations are adjusted to reflect dispositions by panels assigned to cases filed in other districts and cover the "number of cases" terminated.

CASE ACTIVITY DURING MONTH OF OCTOBER:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Cases Filed	<u>99</u>	<u>67</u>	<u>43</u>	<u>55</u>	<u>264</u>
Civil	42	36	24	35	137
Criminal	57	31	19	20	127
Cases Terminated	<u>75</u>	<u>59</u>	<u>37</u>	<u>73</u>	<u>244</u>
Opinion-Civil	6	10	7	22	45
Opinion-Criminal	5	7	5	6	23
Sum.Disp.-Civil	3	8	2	3	16
Sum.Disp.-Criminal	27	11	9	13	60
Memo Opinion-Civil	16	10	9	12	47
Memo Opinion-Crim.	17	7	3	14	41
Other-Civil	1	5	1	2	9
Other-Criminal	0	1	1	1	3
Cases Reinstated	<u>2</u>	<u>0</u>	<u>0</u>	<u>4</u>	<u>6</u>
Civil	1	0	0	4	5
Criminal	1	0	0	0	1
Correction for Error	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Civil	+1	-1	+5	0	+5
Criminal	-1	+1	-5	0	-5
Notices of Appeal Filed:	I	II	III	IV	TOTAL
One-Judge Appeals:	<u>10</u>	<u>9</u>	<u>7</u>	<u>11</u>	<u>37</u>
Civil	5	5	4	6	20
Criminal	5	4	3	5	17
Three-Judge Appeals:	<u>79</u>	<u>44</u>	<u>28</u>	<u>35</u>	<u>186</u>
Civil	28	20	14	20	82
Criminal	51	24	14	15	104
Sup. Writs Filed:	6	7	1	9	23
Sup. Writs Terminated:	<u>5</u>	<u>4</u>	<u>1</u>	<u>2</u>	<u>12</u>
Granted	0	1	0	0	1
Denied, Dism'd, Other	5	3	1	2	11
Sup. Writs Pending:	17	11	3	18	49
Leave to Appeal Filed:	4	7	7	2	20
Leave to Appeal Term'd:	<u>4</u>	<u>3</u>	<u>5</u>	<u>8</u>	<u>20</u>
Granted	0	1	0	3	4
Denied, Dism'd, Other	4	2	5	5	16
Leave to Appeal Pending:	6	8	7	4	25

ADDITIONAL MATTERS DURING MONTH OF OCTOBER:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Motions Filed:					
Numbered Cases	127	76	64	123	390
Extensions of Time	88	44	32	41	205
Unnumbered Cases	<u>90</u>	<u>59</u>	<u>27</u>	<u>44</u>	<u>220</u>
TOTAL MOTIONS FILED	305	179	123	208	815
Motions Terminated:					
Numbered Cases	126	69	51	104	350
Extensions of Time	90	40	33	43	206
Unnumbered Cases	<u>93</u>	<u>72</u>	<u>30</u>	<u>40</u>	<u>235</u>
TOTAL MOTIONS TERM'D	309	181	114	187	791
Motions Pending:					
Numbered Cases	69	51	40	80	240
Extensions of Time	11	6	1	5	23
Unnumbered Cases	<u>22</u>	<u>23</u>	<u>2</u>	<u>16</u>	<u>63</u>
TOTAL MOTIONS PENDING	102	80	43	101	326
Opins. Circulating	13	8	12	12	45
Opins. Approved but not Released	5	9	3	0	17
	I	II	III	IV	TOTAL
Pet. for Bypass Filed	<u>1</u>	<u>0</u>	<u>0</u>	<u>2</u>	<u>3</u>
Civil	0	0	0	2	2
Criminal	1	0	0	0	1
Certifications Filed	<u>0</u>	<u>3</u>	<u>0</u>	<u>0</u>	<u>3</u>
Civil	0	3	0	0	3
Criminal	0	0	0	0	0
Pet. for Review Filed	<u>13</u>	<u>9</u>	<u>9</u>	<u>14</u>	<u>45</u>
Civil	7	3	4	12	26
Criminal	6	6	5	2	19

Status of Pending Cases as of October 31, 2004:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Awaiting Record	<u>95</u>	<u>59</u>	<u>51</u>	<u>63</u>	<u>268</u>
Civil	53 1-1/4	33	36	44 1-4/2	166
Criminal	42	26	15	19	102
Applt. Brief Due	<u>110</u>	<u>52</u>	<u>63</u>	<u>65</u>	<u>290</u>
Civil	45	30	39	38 1-4/2	152
Criminal	65	22	24	27	138
Applt. Brief Overdue	<u>2</u>	<u>2</u>	<u>0</u>	<u>2</u>	<u>6</u>
Civil	1	1	0	1	3
Criminal	1	1	0	1	3
Respt. Brief Due	<u>80</u>	<u>39</u>	<u>26</u>	<u>37</u>	<u>182</u>
Civil	33	20	12	19	84
Criminal	47	19	14	18 1-4/2	98
Respt. Brief Overdue	<u>1</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>
Civil	1	0	0	0	1
Criminal	0	0	0	0	0
Other Brief Due	<u>0</u>	<u>0</u>	<u>1</u>	<u>3</u>	<u>4</u>
Civil	0	0	1	3	4
Criminal	0	0	0	0	0
Reply Brief Due	<u>27</u>	<u>14</u>	<u>16</u>	<u>15</u>	<u>72</u>
Civil	16	7	9	13 1-4/3	45
Criminal	11	7	7	2	27
Cases W/Motions or Writs Pending	<u>81</u>	<u>52</u>	<u>37</u>	<u>60</u>	<u>230</u>
Civil	51	40	23	44 1-4/1	158
Criminal	30 1-1/4	12	14	16 1-4/1	72
Ready for Screening	<u>98</u>	<u>110</u>	<u>71</u>	<u>67</u>	<u>346</u>
Civil	45 4-1/4	68 1-2/4	59 2-3/4	46	218
Criminal	53 1-1/4	42	12	21 5-4/1, 1-4/2	128
Assigned for Oral Arg.	<u>8</u>	<u>4</u>	<u>2</u>	<u>1</u>	<u>15</u>
Civil	7	4	0	1	12
Criminal	1	0	2	0	3
Under Submission	<u>208</u>	<u>106</u>	<u>76</u>	<u>203</u>	<u>593</u>
Civil	43 6-1/4	47 3-2/4	22 1-3/4	93	205
Civil/FT	0	3	3	2	8
Criminal	165 5-1/2, 4-1/3,	56 1-2/4	51	108 8-4/2, 1-4/3	380
Criminal/FT	0 29-1/4	0	0	0	0
No Merit & Awaiting NM	<u>65</u>	<u>27</u>	<u>33</u>	<u>27</u>	<u>152</u>
Civil	1	0	1	0	2
Criminal	64	27	32	27	150
HOLD Status	<u>3</u>	<u>7</u>	<u>11</u>	<u>10</u>	<u>31</u>
Civil	3	5	10	9	27
Criminal	0	2	1	1	4
TOTAL CASES PENDING	<u>778</u>	<u>472</u>	<u>387</u>	<u>553</u>	<u>2190</u>
Civil	299	258	215	313	1085
Criminal	479	214	172	240	1105

Wisconsin Court of Appeals

Explanation of Termination Categories

OPINIONS

Includes three-judge and one-judge authored opinions and per curiam opinions. All per curiam opinions are assigned to a supervising judge who has the responsibility for approval of the final draft of the opinion after circulation to the panel.

SUMMARY DISPOSITIONS

Includes opinions issued in the form of a court order after the court has reviewed the briefs and record, and following a screening and decision conference(s). All dispositions in this category are assigned to a supervising judge who is responsible for approval of the final draft of the opinion after circulation to the panel.

MEMO OPINIONS

Includes opinions issued in the form of a court order prior to a screening and decision conference(s). Examples of memo opinions are: jurisdictional terminations; petitions for writs denied or granted if the order terminates the action; petitions for leave to appeal that are denied; summary disposition of unscreened cases – usually upon a motion; motions to dismiss on the merits that are granted; transfers to circuit court; any other miscellaneous termination of an appeal in which judicial time is expended and a full explication of reasoning is set forth.

OTHER

Includes miscellaneous orders terminating cases that are issued by the Clerk's Office. Examples of miscellaneous orders are: voluntary dismissals; stipulations to dismiss; failure of an appellant to submit filing fee information.

Please Note: Case filings are counted according to the district of origin and tracked through the appellate process in the filing district. Terminations, however, are counted in the district that issued the opinion. For example, a case filed in District IV, but transferred to District III, will be counted as a pending case in District IV until the opinion is issued when adjustments will be made to reflect the termination by District III. In this example, the District III termination will result in one less case pending in District IV.

Page 2 of the Monthly Statistical Report reflects how many cases terminated by a particular district are transfer cases. Page 4 of the report reflects the current status of transfer cases.